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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,934	11/28/2001	Andrew Thomas	1509-250	7340

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LOWE HAUPTMAN GILMAN AND BERNER, LLP
 1700 DIAGONAL ROAD
 SUITE 300 /310
 ALEXANDRIA, VA 22314

EXAMINER

GIANOLA, JOHN F

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,934

Applicant(s)

THOMAS ET AL.

Examiner

John F Gianola

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20020805.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Trower, II et. al. (US Pat. No. 5,983,190).

3. Trower, II, disclose:

With respect to Claim 1:

A network interface for interfacing the device with a computer network, the network interface including a memory for storing a network address of the device (see Column 35, lines 61-67); and

A speech subsystem for speaking said network address in number form (see column 23, lines 32-33).

4. With respect to Claim 2:

A user-input interface for receiving and output-prompt input from a user (see column 3, line 59; column 4, lines 20-34), the user-input interface being responsive to receiving said output-prompt input to cause the speech subsystem

to speak said network address (see column 22, lines 41-55; column 23, lines 32-35).

5. With respect to Claim 3:

Wherein the network address is an IP address (see Column 35, line 61 and 66), the speech subsystem being arranged to speak the network address in dotted decimal format (see column 23, lines 32-35).

6. With respect to Claim 4:

Wherein the vocabulary of the speech subsystem is substantially restricted to a minimum vocabulary required for speaking IP network address (see column 23, lines 32-35).

Trower, II et. al. teach a speech system that produces speech based upon input text. The system, as such, is not necessarily restricted to a minimum vocabulary. However, because of the design of the invention of Trower, II, et. al, a limited vocabulary is an arbitrary design choice and is not given patentable weight.

7. With respect to Claim 5:

Wherein the speech subsystem is arranged to speak the network address only in English (see column 23, lines 32-35).

Trower, II et. al. teach a speech system that produces speech based upon input text. The system, as such, is not necessarily restricted to the English language. However,

because of the design of the invention of Trower, II, et. al, a specific language is an arbitrary design choice and is not given patentable weight.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wille et. al., "Sams Teach Yourself Active Server Pages in 24 Hours" (see Notice of References Cited) in view of Trower, II et. al. (US Pat. No. 5,983,190).

11. Wille et. al. teach,

With respect to Claim 9:

A method of outputting the computer address of a device having a computer network interface, the method comprising the steps of:

Retrieving the current network address of the device from a memory of the network interface of the device (see Section 5, "Retrieving Information from the User," lines 61-67).

However, Wille et. al. do not teach outputting the address in spoken form.

12. With respect to Claim 10:

Outputting the network address in response to a prompt from a user (see Section 5, "Retrieving Information from the User," lines 1-7 and 61-67).

13. With respect to Claim 11:

Wherein the network address is an IP address (see Section 5, "Retrieving Information from the User," line 62).

14. Trower , II et. al.:

With respect to Claim 9:

Outputting the retrieved network address in spoken number form (see column 23, lines 32-35).

15. With respect to Claim 11:

A speech subsystem being arranged to speak the network address in dotted decimal format (see column 23, lines 32-35).

16. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Wille et. al. with the speech system of Trower, II et. al. in order to make the user interface more user friendly by incorporating natural aspects of human dialog (see Trower, II et. al: column 1, lines 11-14).

Conclusion

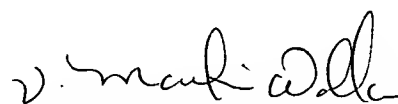
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John F Gianola whose telephone number is (571)272-3848. The examiner can normally be reached on Mon - Fri (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached at (571)272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jfg


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700